

**RECEIVED**

OCT 25 1993

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA****CLERK, U.S. DIST. COURT  
ST. PAUL, MN.**Marvin Klehr and  
Mary Klehr,

Case No.: 4-93-822 (JMR)

Plaintiffs,

v.

**NOTICE OF MOTION AND MOTION TO  
COMPEL DISCOVERY**A.O. Smith Corporation and  
A.O. Smith Harvestore Products,  
Inc., Jointly and Severally,

Defendants.

TO: The above named Defendants, A.O. Smith Corporation and their attorney Mr. Dave Schmitt, 525 West Monroe Street, Suite 1600, Chicago, IL 60606, and A.O. Smith Harvestore Products, Inc. and their attorneys Mr. Blake Shepard and Mr. Fred Morris, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402.

PLEASE TAKE NOTICE that the Plaintiffs will bring on the attached Motion for hearing before the Honorable Franklin Noel, Courtroom No. 230, U.S. Courthouse, St. Paul, Minnesota, on the 8th day of November, 1993, at 10:30 a.m. or as soon thereafter as counsel can be heard.

**MOTION**

Plaintiffs hereby move the Court for an Order as follow:

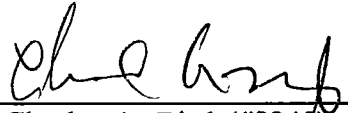
1. Compelling responses to Plaintiff's Request for Production of Documents and Interrogatories (attached hereto) dated August 31, 1993, as to which no response has been received;
2. Compelling Charles Crafts to appear for deposition along with the subpoenaed records;
3. For attorney fees and costs for bringing this motion in the sum of \$1,000.00, to be paid by Defendants and Charles Crafts, for refusal to respond to written discovery and refusal to attend the deposition pursuant to the subpoena.

(36)

FILED **OCT 25 1993**  
FRANCIS E. DOGAL, CLERK  
JUDGMENT ENTERED  
DEPUTY CLERK'S INITIALS **SL**

Dated this 22<sup>nd</sup> day of October, 1993.

BIRD AND JACOBSEN

By:   
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